

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
NEWNAN DIVISION

UNITED STATES OF AMERICA, et al.	)	
ex rel. LANCE ALBERTSON,	)	
	)	Civil Action No.
	)	3:21-cv-46-TCB
Plaintiff- Relator,	)	
	)	
v.	)	FILED <i>EX PARTE</i>
	)	AND UNDER SEAL
AGENDIA, INC.,	)	
	)	
Defendant.	)	

**UNITED STATES' NOTICE OF ELECTION TO DECLINE INTERVENTION**

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the United States notifies the Court of its decision not to intervene in this action.

Although the United States declines to intervene, we respectfully refer the Court to 31 U.S.C. § 3730(b)(1), which allows the relator to maintain the action in the name of the United States; providing, however, that the "action may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting." *Id.* Therefore, the United States requests that, should either the relator or the defendant propose that this action be dismissed, settled, or otherwise discontinued, the Court solicit the written consent of the United States before ruling or granting its approval.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States requests that all pleadings filed in this action be served upon the United States; the United States also requests that orders issued by the Court be sent to the Government's counsel. The United States reserves its right to order any deposition transcripts, to intervene in this action, for good cause, at a later date, and to seek the dismissal of the relator's action or claim.

The United States also requests that it be served with all notices of appeal.

Finally, the United States requests that the relator's Complaint, this Notice, and the attached proposed Order be unsealed. The United States requests that all other papers on file in this action remain under seal because in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and

time for making an election to intervene should be extended.

A proposed order accompanies this notice

This 6<sup>th</sup> day of December, 2022.

Respectfully submitted,

RYAN K. BUCHANAN  
*United States Attorney*

/s/NEELI BEN-DAVID  
ASSISTANT UNITED STATES ATTORNEY  
Georgia Bar No. 049788  
600 Richard B. Russell Federal Building  
75 Ted Turner Drive SW  
Atlanta, GA 30303  
Telephone: (404) 581-6303  
Facsimile: (404) 581-4667  
E-mail: neeli.ben-david@usdoj.gov

*Counsel for United States of America*

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**CERTIFICATE OF SERVICE**

I hereby certify that The United States' Notice of Election to Decline Intervention and proposed Order, were emailing true and correct copies thereof to:

Ramsey B. Prather  
Butler Wooten & Peak LLP  
Ramsey@butlerwooten.com

This 6<sup>th</sup> day of December, 2022.

/s/Neeli Ben-David  
Assistant United States Attorney

THESE DOCUMENTS HAVE NOT BEEN SERVED UPON THE  
DEFENDANTS BECAUSE THIS CASE REMAINS UNDER SEAL.